

PLANNED UNIT DEVELOPMENT

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13.78.010: **SCOPE OF APPROVAL:** Provision of a planned unit development by this chapter in no way guarantees a property owner the right to exercise the provisions of the planned unit development. Planned unit developments shall be approved by the planning commission as a conditional use only if, in its judgment, the proposed planned unit development fully meets the intent and purpose, and requirements of the land use ordinance and the general plan.

13.78.020: **PURPOSE:**

A. The purpose of planned unit development is to permit flexibility in land use, allow diversification in the interrelationships of various uses and structures with their sites and thus offer an alternative to conventional development. The application of planned unit development concepts is intended to encourage unique neighborhoods, high quality housing, exceptional design, additional open space, and facilities compatible with the present living environment in the city ~~as described by the general plan~~. Ensuring compliance with the purpose of this section protects the health, safety and public welfare of the future inhabitants of, or visitors to, the planned unit development. At the same time, securing the advantages of ~~large-scale~~ imaginative site planning for residential, commercial development or combinations thereof, as well as maximizing the energy utilization efficiency of the project. The objective is to preserve existing greenery and significant trees on site. The planned unit development process should create unique benefits for both the property owner and the city even though it does not allow additional density. Applicants must justify to the planning commission why the project would be better for the community than a project developed as the underlying zoning would normally allow. Development under the planned unit development process is a privilege that must be earned by the developer, not a right that must be granted by the planning commission.

B. Through the flexibility of the planned unit development regulations, the city seeks to achieve any of the following specific objectives:

1. Combination and coordination of architectural styles, building forms, building materials, and building relationships;

2. Preservation and enhancement of desirable site characteristics such as natural topography, vegetation and geologic features, and the prevention of soil erosion;

3. Preservation of buildings which are architecturally or historically significant or contribute to the character of the city;
4. Use of design, landscape, or architectural features to create a pleasing environment;
5. Inclusion of special development amenities that are in the interest of the general public;
6. Elimination of blighted structures or incompatible uses through redevelopment or rehabilitation;
7. Inclusion of affordable housing with market rate housing;
8. Utilization of "green" building techniques in development;
9. Efficiency in the utilization of valuable or other natural land resources; or
10. Increased public safety, health and welfare.

13.78.030: **PLANNED UNIT DEVELOPMENT DEFINED:**

- A. "Planned unit development", for the purpose of this chapter, means a coordinated, integrated design for development of residential, nonresidential, commercial, or a combination of such uses.
- B. "Residential planned unit development", for the purpose of this chapter, means an integrated design for development of primarily residential uses but may include some mixed, nonresidential uses.
- C. "Nonresidential planned unit development", for the purpose of this chapter, means an integrated design for development of commercial uses which does not include any residential component.
- ~~D. The planning commission may waive or vary one or more of the land use regulations To allow flexibility and initiative in site and building design other than use regulations overall building height regulations, and density and location in accordance with an approved plan and imposed general requirements as specified in this chapter. A planned unit development may be:
 1. The development of compatible land uses arranged in such a way as to provide desirable living environments that may include private and common open spaces for recreation, circulation and/or uses;
 2. The conservation of historic development patterns; and
 3. Creation of areas for multiple uses that are of benefit to the neighborhood.~~

13.78.040: **SUBMISSION, REVIEW AND APPROVAL; SITE PLAN AND CONDITIONAL USE PERMIT:**

Residential planned unit developments may be allowed by planning commission approval in any residential zoning district. Nonresidential planned unit developments may be allowed by planning commission approval in any nonresidential zoning district. An approved planned unit development shall consist of a final approval letter and a final approved site plan. A planned unit development permit shall not be granted unless the planned unit development meets the use limitations of the zoning district in which it is to be located and meets the density and other limitations of such districts. Compliance with the regulations of this chapter does not excuse the developer from the applicable requirements of the subdivision regulations, except as modifications thereof are specifically authorized in the approval of the application for the planned unit development. The permit shall be considered in two (2) parts:

- A. Preliminary Approval: Preliminary approval subject to the public hearing provisions of section 13.06.030 of this title; and
- B. Final Approval: Final approval based on construction drawings and specifications in general accord with that granted preliminary approval. (Ord. 2012 15, 9 20 2012)

- 1
2 A. Allowed by Zone: Planned unit developments are allowed as per Chapter 13.100, Appendix A, of
3 this title.
4
- 5 B. Three-step Review of site plan: A planned unit development site plan shall be considered in three
6 steps as required by Chapter 13.08.010 of this Title:
7
- 8 C. Submission Requirements: The applicant shall submit a planned unit development site plan for the
9 total area within the proposed development as required by Chapter 13.03 of this title.
10
- 11 1. The site plan shall show, where pertinent:
12
- 13 a. The use or uses, dimensions, sketch elevations and locations of proposed
14 structures;
15
- 16 b. Dimensions and locations of areas to be reserved and developed for vehicular
17 and pedestrian circulation, parking, public uses such as schools and playgrounds, landscaping, and
18 other open spaces;
19
- 20 c. Architectural drawings and sketches outlining the general design and character
21 of the proposed uses and the physical relationships of the uses; and
22
- 23 d. Such other pertinent information such as, residential density, coverage and open
24 space characteristics as may be necessary to make a determination that the proposed arrangement
25 of buildings and uses makes it desirable to apply regulations and requirements differing from
26 those ordinarily applicable under this Title.
27
- 28 2. An explanation of how the proposed planned unit development satisfies the purposes set forth in
29 Section 13.78.020 of this Chapter.
30
- 31 3. If the planned unit development is to be developed on a phase basis, each phase shall be of such
32 size, composition and arrangement that its construction, marketing and operation is feasible as a
33 unit independent of any subsequent phases.
34
- 35 D. Waiver of Zone District Regulations: To allow flexibility and initiative in site and building
36 design, the planning commission may waive or vary one or more of the land use regulations as
37 required by the zone in which the planned unit development is proposed, other than:
38 1. use regulations;
39 2. overall building height regulations, including graduated height restrictions, and;
40 3. density.
41
- 42 E. Limitations: A conditional use permit shall not be granted unless the planned unit development
43 meets the use limitations of the zoning district in which it is to be located and meets the density
44 and other limitations of such districts.
45
- 46 F. Compliance with the Subdivision Regulations: Compliance with the regulations of this chapter
47 does not excuse the developer from the applicable requirements of the subdivision regulations, as
48 required by Chapter 13.11 of this title, except as modifications thereof are specifically authorized
49 in the approval of the application for the planned unit development.
50
- 51 G. Planning Commission: The planning commission may approve, approve with conditions, or deny
52 a planned unit development based upon written findings of fact according to each of the following
53 standards. It is the responsibility of the applicant to provide written and graphic evidence
54 demonstrating compliance with the following standards:
55

1. Planned unit development Objectives: The planned unit development shall meet the purpose statement for a planned unit development (section 13.78.020 of this chapter) and will achieve at least one, and preferably more, of the objectives stated in said section;
2. Master Plan and Zoning Ordinance Compliance: The proposed planned unit development shall be:
- a. Consistent with any adopted policy set forth in the future land use map applicable to the site where the planned unit development will be located, and
- b. Allowed by the zone where the planned unit development will be located or by another applicable provision of this title.
3. Compatibility: The proposed planned unit development shall be compatible with the character of the site, adjacent properties, and existing development within the vicinity of the site where the use will be located. In determining compatibility, the planning commission shall consider:
- a. Whether the street or other means of access to the site provide the necessary ingress/egress without materially degrading the service level on such street/access or any adjacent street/access;
- b. Whether the planned unit development and its location will create unusual pedestrian or vehicle traffic patterns or volumes that would not be expected, based on:
- (1) Orientation of driveways and whether they direct traffic to major or local streets, and, if directed to local streets, the impact on the safety, purpose, and character of these streets;
- (2) Parking area locations and size, and whether parking plans are likely to encourage street side parking for the planned unit development which will adversely impact the reasonable use of adjacent property;
- (3) Hours of peak traffic to the proposed planned unit development and whether such traffic will unreasonably impair the use and enjoyment of adjacent property.
- c. Whether the internal circulation system of the proposed planned unit development will be designed to mitigate adverse impacts on adjacent property from motorized, nonmotorized, and pedestrian traffic;
- d. Whether existing or proposed utility and public services will be adequate to support the proposed planned unit development at normal service levels and will be designed in a manner to avoid adverse impacts on adjacent land uses, public services, and utility resources;
- e. Whether appropriate buffering or other mitigation measures, such as, but not limited to, landscaping, setbacks, building location, sound attenuation, odor control, will be provided to protect adjacent land uses from excessive light, noise, odor and visual impacts and other unusual disturbances from trash collection, deliveries, and mechanical equipment resulting from the proposed planned unit development; and
- f. Whether the intensity, size, and scale of the proposed planned unit development is compatible with adjacent properties.

13.78.050: **MINIMUM AREA:**

- A. ~~No residential planned unit development in the R 1 4, R 1 8, R 1 10, R 1 15, R 2 8, R 2 10 or R-M zone shall have an area less than three (3) acres.~~ B. ~~No residential planned unit development in~~

1 the R-1-21, R-1-43, R-1-87 or forestry and recreation zones shall have an area less than five (5)
 2 acres. C. No nonresidential planned unit development shall have an area of less than five (5)
 3 acres.

4
 5 A planned unit development proposed for any parcel or tract of land under single ownership or control in
 6 certain zoning districts shall have a minimum net lot area as set forth in table 13.78.050.1 of this
 7 section.

8
 9 TABLE 13.78.050.1

<u>Zone Type</u>	<u>Designation</u>	<u>Minimum Area</u>
<u>Forestry and recreation zone</u>	<u>FR-0.5</u>	<u>1 acre</u>
<u>Forestry and recreation zone</u>	<u>FR-1</u>	<u>2 acres</u>
<u>Forestry and recreation zone</u>	<u>FR-2.5</u>	<u>5 acres</u>
<u>Forestry and recreation zone</u>	<u>FR-5</u>	<u>10 acres</u>
<u>Forestry and recreation zone</u>	<u>FR-10</u>	<u>20 acres</u>
<u>Forestry and recreation zone</u>	<u>FR-20</u>	<u>40 acres</u>
<u>Single Family Residential zone</u>	<u>R-1-4</u>	<u>8,000 SF</u>
<u>Single Family Residential zone</u>	<u>R-1-8</u>	<u>16,000 SF</u>
<u>Single Family Residential zone</u>	<u>R-1-10</u>	<u>20,000 SF</u>
<u>Single Family Residential zone</u>	<u>R-1-15</u>	<u>30,000 SF</u>
<u>Single Family Residential zone</u>	<u>R-1-21</u>	<u>1 acre</u>
<u>Single Family Residential zone</u>	<u>R-1-43</u>	<u>2 acres</u>
<u>Single Family Residential zone</u>	<u>R-1-87</u>	<u>4 acres</u>
<u>Multi-family Residential zone</u>	<u>R-2-8</u>	<u>10,000 SF</u>
<u>Multi-family Residential zone</u>	<u>R-2-10</u>	<u>20,000 SF</u>
<u>Multi-family Residential zone</u>	<u>R-M</u>	<u>9,000 SF</u>
<u>Commercial zone</u>	<u>C-1</u>	<u>no minimum</u>
<u>Commercial zone</u>	<u>C-2</u>	<u>no minimum</u>

10
 11
 12 ~~13.78.060: GRADING AND DRAINAGE PLANS: A grading and drainage plan shall be submitted to the~~
 13 ~~planning commission with the application.~~

14
 15 ~~13.78.0760: LAND USE AMENDMENT REQUIRED WHEN: A planned unit~~
 16 ~~development which will contain uses not permitted in the zoning district in which it is to be~~
 17 ~~located will require a change of zoning district and shall be accompanied by an application for a~~
 18 ~~land use amendment. except that any residential use shall be considered a permitted use in a~~
 19 ~~planned unit development which allows residential uses and shall be governed by design and other~~
 20 ~~requirements of the planned unit development permit; provided, further, that in single family~~
 21 ~~zones, only single family dwellings may be allowed in the planned unit development..~~

22
 23 ~~13.78.0870: DEVELOPMENT OWNERSHIP: The development shall be in single,~~
 24 ~~partnership, or corporate ownership, or under option to purchase by an individual or a corporate~~
 25 ~~entity at the time of application, or the application shall be filed jointly by all owners of the~~
 26 ~~property.~~

27
 28 ~~13.78.0980: EFFECT ON ADJACENT PROPERTIES: The planning commission shall~~
 29 ~~require such arrangement of structures and open spaces within the site development plan, as~~
 30 ~~necessary, to assure that adjacent properties will not be adversely affected.~~

- 1
2 A. *Height and Intensity*: Height and intensity of buildings and uses shall be arranged around the
3 boundaries of the planned unit development to be compatible with existing adjacent developments
4 or zones. However, unless conditions of the site so warrant, buildings located on the periphery of
5 the development shall be limited to a maximum height of two (2) stories. All structures in the
6 planned unit development shall comply with the graduated height restrictions of the underlying
7 zone.
8
9 B. *Area, Width, Yard and Coverage*: Lot area, lot width, yard and coverage regulations shall be
10 determined by approval of the site plan and shall meet the requirements of the underlying zone
11 wherever possible.
12
13 C. *Density*: ~~Density of dwelling units per acre shall be the same as allowed in the zone in which the~~
14 ~~planned unit development is located. Residential planned unit developments shall not exceed the~~
15 ~~density limitation of the zoning district where the planned unit development is proposed. The~~
16 ~~calculation of planned unit development density may include open space that is provided as an~~
17 ~~amenity to the planned unit development. Public or private roadways located within or adjacent to~~
18 ~~a planned unit development shall not be included in the planned unit development area for the~~
19 ~~purpose of calculating density.*~~

20
21 **13.78.400090: PRESERVATION OF OPEN SPACE:** Preservation, maintenance and ownership of
22 required open spaces within the development shall be accomplished by:

- 23
24 A. *Dedication of Land*: Dedication of the land as a public park or parkway system;
25
26 B. *Granting Easement*: Granting to the city a permanent open space easement on or over the private
27 open spaces to guarantee that the open space remain perpetually in recreational use with
28 ownership and maintenance being the responsibility of the owner or an owners' association
29 established with articles of association and bylaws which are satisfactory to the city; or
30
31 C. *Compliance with Condominium Ownership Act*: Compliance with the provisions of the
32 condominium ownership act 1, which provides for the payment of common expenses for the
33 upkeep of the common areas and facilities.
34

35 **13.78.440100: LANDSCAPING, FENCING AND SCREENING REQUIREMENTS:** Landscaping,
36 fencing and screening related to the uses within the site and as a means of integrating the proposed
37 development into its surroundings shall be planned and presented to the planning commission for
38 approval, together with other required plans for the development.
39

40 **13.78.420 110: SIGNS AND FLOODLIGHTING:** The size, location, design and nature of signs, if any,
41 and the intensity and direction of area floodlighting shall be detailed in the application.
42

43 **13.78.130: SITE PLAN REQUIREMENTS:** ~~The applicant shall submit a planned unit development plan~~
44 ~~for the total area within the proposed development. If the planned unit development is to be~~
45 ~~developed on a phase basis, each phase shall be of such size, composition and arrangement that its~~
46 ~~construction, marketing and operation is feasible as a unit independent of any subsequent phases.~~
47 ~~The general site plan shall show, where pertinent:~~
48

- 49 A. ~~The use or uses, dimensions, sketch elevations and locations of proposed structures;~~
50
51 B. ~~Dimensions and locations of areas to be reserved and developed for vehicular and pedestrian circulation,~~
52 ~~parking, public uses such as schools and playgrounds, landscaping, and other open spaces;~~
53
54 C. ~~Architectural drawings and sketches outlining the general design and character of the proposed uses and~~
55 ~~the physical relationships of the uses; and~~
56

1 ~~D. Such other pertinent information, including, but not limited to, residential density, coverage and open~~
2 ~~space characteristics shall be included as may be necessary to make a determination that the~~
3 ~~contemplated arrangement of buildings and uses makes it desirable to apply regulations and~~
4 ~~requirements differing from those ordinarily applicable under this chapter. (Ord. 2012-15, 9-20-~~
5 ~~2012)~~

6
7
8 ~~13.78.140: FEES: See title 3 of this code for the planned unit development and subdivision fees. (Ord.~~
9 ~~2012-15, 9-20-2012)~~

10
11
12 ~~13.78.150~~120: **CONSTRUCTION LIMITATIONS:**

13
14 A. *Compliance with Plan:* Upon approval of a planned unit development, construction shall proceed
15 only in accordance with the ~~plans~~ site plan, subdivision and/or conditional use permit, all
16 specifications approved by the planning commission, and in conformity with any conditions
17 attached by the commission to its approval.

18
19 B. *Amendments:* Amendments to approved plans and specifications for a planned unit development
20 shall be approved by the planning commission and shown on the approved plans.

21
22 ~~C. — Building Permit: The building inspector or any other city department shall not issue any permit for~~
23 ~~any proposed building, structure, activity or use within the project unless such building, structure,~~
24 ~~activity or use is in accordance with the approved development plan and any conditions imposed~~
25 ~~in conjunction with its approval.~~

26
27 ~~D. — Certificate Of Occupancy: The community development director shall issue a certificate of~~
28 ~~occupancy for any building or structure upon its completion in accordance with the approved~~
29 ~~development plan.~~

30
31 ~~13.78.160: PLAN REVIEW AT PUBLIC MEETING:~~

32
33 ~~Preliminary development plans, including site plan (buildings, open space, parking, landscaping,~~
34 ~~pedestrian and traffic circulation), building elevations and general drainage and utility layout with~~
35 ~~topography shall be submitted for the purpose of staff analysis and planning commission review at~~
36 ~~a regularly scheduled meeting. (Ord. 2012-15, 9-20-2012)~~

37
38 ~~13.78.170~~130: **SCOPE OF PLANNING COMMISSION ACTION:** In carrying out the intent
39 of this chapter, the planning commission shall consider the following principles:
40

41 A. *Qualified Design Team:* It is the intent of this chapter that site and building plans for a planned
42 unit development shall be prepared by a designer or team of designers having professional
43 competence in urban planning as proposed in the application. The planning commission **shall may**
44 require the applicant to engage such a qualified designer or design team.

45
46 B. *Minimum Control Intended:* It is not the intent of this chapter that control of the design of a
47 planned unit development by the planning commission be so rigidly exercised that individual
48 initiative be stifled and substantial additional expense incurred; rather, it is the intent of this
49 section that the control exercised be the minimum necessary to achieve the purpose of this chapter.

50
51 C. *Decision of Planning Commission; Appeal:* ~~The planning commission may approve or disapprove~~
52 ~~an application for a planned unit development.~~ In approving an application, the commission may
53 attach such conditions as it may deem necessary to secure compliance with the purposes set forth
54 in this title. The action of the planning commission may be appealed to the city council as allowed
55 by Section 13.08.040H of this Title.
56

1 **Additional changes required with this amendment.**

2

3 Chapter 13.100

4 **APPENDIX A- ALLOWED USES**

5

	All FR	R-1-4, R-1-8, R-1-10, R-1-15	R-1-21, R-1-43, R-1-87	R-2-8/ R-2-10	R-M	O-R-D	P	NC	C-1	C-2	HV	R/M-U	LU
<u>Planned Unit Development</u>	=	=	=	=	=	=	=	=	<u>C</u>	<u>C</u>	-	See SDMP	See <u>chapter 13.63</u> of this title
Nonresidential planned unit development	-	-	-	-	C	<u>C</u>	-	-	<u>C</u>	<u>C</u>	-		
Residential planned unit development	C	C	C	C	C	-	-	-	-	-	-		

6

7

***Current lot area calculation text for discussion:**

13.04: LOT AREA: The area contained within the property lines of an individual parcel of land or recorded lot shown on a subdivision plat or required by this title, excluding areas within an existing or designated future public or private right of way.

13.14.040: LOT AREAS AND WIDTHS:

B. The minimum lot areas and widths required for lots on a "private driveway" as defined in chapter 13.04 of this title for the purpose of subdivision are shown on chart 13.14.041 of this section, except that portions of a lot less than one-half (1/2) the minimum lot width may not be counted toward the minimum lot area.

Current density requirements:

Zone	minimum lot area	density calc/acre
R-1-4	4000	10.89
R-1-8	8000	5.45
R-1-10	10000	4.36
R-1-15	15000	2.9
R-1-21	21780	2
R-1-43	43560	1
R-1-87	87120	0.5
R-2-8	4000	10.89
R-2-10	5000	8.71
RM		
SFD	5000	8.71
Duplex	4000	10.89
Multi-family	2722.5	16